

OGC HAS REVIEWED.

Files

18 January 1949

STATINTL

Office of the General Counsel

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1. [REDACTED]

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[REDACTED] and Mr. Atchison, attorney, of the
GAO.

2. Since we wanted to accept the second lowest bid, contrary to the established Federal policy of the Comptroller, we believed it was necessary to obtain an informal opinion from the Comptroller.

3. This contract provides for development of a prototype, and our invitation established only general minimum specifications. We specifically left the door open for improvements. The Technical Section does not believe that the unit proposed by the lowest bidder will give the maximum satisfaction from the standpoint of both performance and safety. This justification for accepting other than the lowest bid appeared adequate to the Counsel at GAO.

4. The contract is, therefore, being approved as to legal form but attention is called to the necessity for presenting the justification together with the forms which are ultimately submitted to GAO for audit.

[REDACTED]

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